

REMARKS

This amendment is responsive to the Office Action dated 11/18/2005, in which Claims 61-71, 73, 74, 76-87, and 89-92 were rejected. Claims 61, 70, and 76 have been amended. Accordingly, Claims 61-71, 73, 74, 76-87, and 89-92 are pending in the application, and are presented for reconsideration and allowance.

Objection to Specification under 35 USC 132(a)

The amendment to the Specification filed 8/1/05 is objected to under 35 USC 132(a) because it introduces new matter into the disclosure. The requirement to cancel these amendments to the Specification is traversed.

The assertion is made in the Office Action that the replacements of the term “healthcare” with “dental” in several instances is not commensurate with the scope of the disclosure as originally filed and has altered the language of the specification in a manner that is objectionable. This assertion is challenged. First, it has always been the practice before the PTO to allow an applicant to limit the specification of an application to the preferred embodiment originally disclosed. This is what was done here.

Second, the original application as filed supports these amendments by clearly stating that the preferred embodiment is a dental practice management application. The following are quotes from the originally filed specification.

“The healthcare desktop application is preferably a dental practice management software application,...” (Page 6, lines 4-5).

“In a preferred embodiment of the present invention, the healthcare desktop application is a dental practice management application. In the following description of the preferred embodiments the references to the healthcare desktop application may be in the context of a dental practice management software application.” (Page 6, lines 18 – 22).

The following statements are from the Background of the Invention.

“In the case of dentistry, it is the American Dental Association (ADA). Dental billing codes are known as the CDT-3 codes (Current Dental Terminology Revision 3) and are often referred to as the “ADA codes” or

procedure codes that define the specific treatments administered and billed for by a dentist. An example ADA code is D3333, which defines the internal root repair of perforation defects procedure. All dentists use this standard nomenclature for defining work planned or performed. Both the ADA and the insurance company abide by this standard.” (Page 1, line 27 – Page 2, line 4)

“In the case of dentistry, most dental offices today use practice and clinical management software to automate the daily tasks of running a dental office.” (Page 2, lines 10 – 12).

See also the direct references, among others, in the originally filed application to dental matters as follows: Page 2, line 16, “full restorative dental charts, periodontal charts”; Page 2, line 19, “dental field”; Page 9, line 9, “there is one file for each ADA procedure code”; Page 16, line 1, “to include the patient’s dental chart on a slide”; Page 15, lines 18 and 20, “ADA Procedure Presentation”; Page 17, line 18, “patient’s dental chart”.

Moreover, as will be discussed in greater detail below, seven (i. e., Figs. 2, 3, 4, 9, 10, 12, 12a) of the fourteen originally filed Figures are directed to a dental application. The descriptions of these Figures in the specification are also directed to the dental examples shown in these Figures. Thus, the entire application as filed is directed to the preferred embodiment of a dental application.

It is submitted that the entry of these amendments to the specification do not constitute new matter. Reconsideration and withdrawal of this objection is therefore requested.

Claim Rejection – 35 USC 112

The rejection of claims 61-71, 73-74, 76-87, and 89-92 under 35 USC 112 as failing to comply with the written description requirement is traversed.

The discussion in the last section relating to the new matter rejection is equally applicable here, so will not be repeated. Additionally, the PTO is wrong in asserting that the rejected claims contain subject matter not originally disclosed. The application as originally filed is replete with references to the preferred embodiment of a dental application. Moreover, the Figures which are part of the original disclosure are also replete with examples supporting the

preferred dental application. Figure 2 illustrates a window used for the selection of treatment procedures for inclusion in a case presentation. The four procedures shown are all dental procedures, i. e., “Porcelin Crown Noble Metal [bridge]”, “Endocseous Implant”, “Teeth And Clasps Extra Per Unit”, and “Crown Build-up”. Figure 3 illustrates sample pages or slides that can be included in a Master template. The heading on the slides is name – dental. The first slide is entitled “Blueprint For outstanding Oral Health”. Each of the other slides has a reference to a dental application. Figure 4 illustrates sample pages or slides that are included in procedure information files. The two slides are dental in nature and titled “Porcelin Crown” and “Root Canal”. Figure 9 illustrates a partial view of a presentation tool with an add-in toolbar. On the left lower side is the dental reference “Softdent Presentation Files”. Figure 10 illustrates an expanded view of an add-in tool bar for opening a “Master” presentation template for customization. Pop-up window 1002 refers to a dental application – “Softdent Presentation Files” and pop-up window 1006 also refers to a dental application – “ADA Procedure Presentation”. Figure 12 is similar to Figure 10 in showing the two pop-up windows 1002 and 1006 with reference to dental applications. When a user selects the “ADA Procedure Presentation” menu option 1202, the user is presented with a dialog box shown in Figure 12a. As shown in the latter Figure, three dental files are listed - for Implant, Bridge, and Extraction procedures.

It is submitted that the claims in the application are fully supported by the application disclosure as originally filed and that the requirements of 35 USC 112 are fully satisfied. Reconsideration and withdrawal of the 35 USC 112 rejection is therefore requested.

Claim Rejections – 35 USC 103

The rejection of Claims 61-63, 66-71, and 73 under 35 USC 103(a) as being unpatentable over Sachdeva in view of Clark and Official Notice, the rejection of Claims 64-65 under 35 USC 103(a) as being unpatentable over Sachdeva, Clark, Official Notice, and Parker, and the rejection of Claims 76-87, and 89-92 under 35 USC 103(a) over Sachdeva, Parker and Official Notice are traversed.

Independent Claims 61 and 76 have been amended to more clearly define the present invention. The present invention as defined by the claims as

amended are a method and system for generating and tracking presentations for a dental patient describing a recommended course of dental treatment. The method and system include the following features, among others, not disclosed in Sachdeva, the primary reference: providing and starting a presentation tool in a computer having a display; providing at least one master template configured for display as a dental presentation on the computer display, wherein the master template (a) includes general information to be shown in every presentation; (b) designates a common theme or look for the presentation; (c) presents common information in a consistent manner on every presentation; (d) controls the order of the information in the presentation; and (e) reduces the possibility of errors in the information presentation; and loading the dental presentation master template into the presentation tool. Nowhere in Sachdeva is there mention of using a master template to achieve the objectives of the treatment plan device disclosed therein. The PTO attempts to liken the steps in the Sachdeva device operation to using a master template to prepare a presentation, but fails to point to specific mention of such a process in this patent. In actuality, the Sachdeva process is not directed to preparing a presentation by a dental practitioner to be later given to a patient, but rather a one-on-one session between the practitioner and the patient to arrive at a treatment plan. Thus, the Sachdeva process starts with providing a list of health care services. The list is not incorporated in a Master template. Once a service is chosen, digital information is inputted. Again this is not incorporated in a master template for later presentation. The next step is to simulate treatment of the patient and show the patient the simulated treatment. As amended, the claims in the case define the present invention as not showing a graphic simulation of the treatment of the patient. This step is critical to the Sachdeva process since it is essential to generating the patient treatment plan after acknowledgment of the simulated treatment plan.

Clearly the claimed invention is novel and nonobvious over Sachdeva.

The other references either singly or in combination with Sachdeva do not render the claims in the application unpatentable. Thus, Clark does not teach the use of a master template to produce a dental application presentation. Clark does not disclose a one-click technique for data entry. Clark teaches away from updating the records in a desktop application. Clark

does not teach the use of a scanned template for markers to insert specific dental information at the markers or updating records of the individual in the dental desktop application. Clearly, Clark is inapplicable to negative invention in the claims.

Parker does not teach using a master template that scans for markers and then inserts dental information specific to the patient at the location of the markers as part of a presentation to be later presented to the patient.

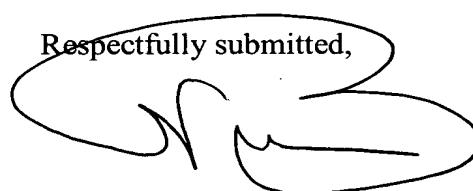
Parker does not disclose the updating of records of the individual in the dental desktop application to correspond to the dental procedure(s) accepted by the individual. Clearly, Parker is inapplicable to negative invention in the claims.

The PTO alludes to HTML tags and Power Point ClipArt as negativing invention in the claims. However, neither example is applicable to the present application since the present invention defined by the claims does not use HTML tags or ClipArt. Clearly, these references are inapplicable to the claimed invention.

Summary

It is submitted that the claims in the application are novel and nonobvious over the cited references and should be allowed. It is also submitted that the application satisfies all of the requirements of the Patent Statute. Speedy allowance of this application is therefore requested.

Respectfully submitted,

A handwritten signature in black ink, enclosed in a decorative oval border. The signature appears to read "Nelson A. Blish".

Attorney for Applicant(s)
Registration No. 29,134

Nelson A. Blish/tmp
Rochester, NY 14650
Telephone: 585-588-2720
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.